



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE


July 31, 2007

COGNIS CORPORATION
PATENT DEPARTMENT
300 BROOKSIDE AVENUE
AMBLER, PA 19002
US

Dear Sir/Madam,

Your refund request for 10593850 in the amount of \$360.00 has been denied .

The office does not use the sub-spec to correct claims and claim number three is a multiple claim. Fees are proper.

Sincerely,

RITA WHITE
PCT - National
703 308-9140 x231

CERTIFICATE OF MAILING PER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231, on May 2, 2007. 2007 MAY -8 9:45

May 2, 2007
Date

Marlene Capreri
Signature of certifier

Marlene Capreri
Typed or printed name of certifier

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR DEPOSIT ACCOUNT CORRECTION UNDER 37 CFR § 1.26

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Attn: Refund Section
Financial Accounting Div.
Office of Finance

Sir:

I hereby request that a correction be made to Deposit Account 50-1177 of a refund in the amount of \$360, charged on the April 2007 Statement (10-Apr, Seq. No. 576, S.N. 10593850, Docket No. C 2939 PCT/US, Fee Code 1616), or that an explanation be given for this charge.

Case C 2939 PCT/US was filed on September 22, 2006, with a Marked-Up Specification showing the cancellation of original claims 1 through 10, which contained multiple dependency claims; and with a Substitute Specification with claims numbered 1 through 20, which contained no multiple dependency claims. Copies of the claims from each of these specifications are attached.

Also attached is a copy of the April 2007 Statement.

This request is being filed within two years of the referenced Statement.

Respectfully submitted,

Cognis Corporation
300 Brookside Avenue
Ambler, PA 19002

Marlene Capreri
Marlene Capreri
Patent Administrative Assistant

- Encl.: 1 Copies of pages 39 through 43 of Marked-Up Specification as filed
2. Copies of pages 38 through 40 of Substitute Specification as filed
3. USPTO Dep. Acct. Statement for April, 2007 (2 pages)

WO 2005/089705

39

PCT/EP2005/002729

Claims

What is claimed is:

1. ~~A composition comprising~~
 - a) ~~an extract of a plant belonging to the genus Buchholzia and~~
 - 5 b) ~~auxiliaries and/or additives, which are common for cosmetic purposes.~~

2. ~~The composition according to claim 1, wherein~~
~~the auxiliaries and/or additives which are common for cosmetic~~
10 ~~purposes are selected from the group consisting of oily bodies,~~
~~surfactants, emulsifiers, fats, waxes, pearlescent waxes, bodying~~
~~agents, thickeners, superfatting agents, stabilizers, polymers, silicone~~
~~compounds, lecithins, phospholipids, biogenic active ingredients,~~
~~deodorants, antimicrobial agents, antiperspirants, film formers,~~
15 ~~antidandruff agents, swelling agents, insect repellents, hydrotropes,~~
~~solubilizers, preservatives, perfume oils and dyes.~~

3. ~~The composition according to claim 1 or 2, wherein the concentration~~
~~of the extract in the composition is 0.001 weight % to 25 weight %.~~

- 20 4. ~~The composition according to any of claims 1 to 3, wherein the extract~~
~~is obtainable by~~
 - a) ~~extracting the plant belonging to the genus Buchholzia or parts of~~
~~this plant with a solvent selected from the group consisting of~~
25 ~~water, an alcohol and mixtures thereof so that a solution of the~~
~~extract in the solvent is obtained, and~~
 - b) ~~removing the solvent from this solution, so that the extract is~~
~~obtained.~~

5. ~~The use of an extract of a plant belonging to the genus Buchholzia or of the composition according to any of claims 1 to 4 for the cosmetic treatment of the human body.~~
- 5 6. ~~The use according to claim 5, whereby the cosmetic treatment comprises~~
- ~~the stimulation of the growth and/or metabolism of human fibroblasts~~
~~or an anti-aging and/or anti-wrinkle effect~~
~~or a revitalizing or rejuvenating effect on stressed or tired skin~~
10 ~~or the promotion of the repair of aged and/or photo-aged skin~~
~~or the promotion of hair growth~~
~~or the delay of hair loss~~
~~or an appeasing and anti-irritation effect, particularly against oxidative stress and pollutants~~
15 ~~or a protease inhibition effect~~
~~or an antioxidant effect~~
~~or the protection against UV radiation~~
~~or the protection against IR radiation~~
~~or a decreasing effect on skin inflammation.~~
- 20 7. ~~The use according to claim 5, whereby the cosmetic treatment comprises the treatment of sensitive skin, particularly of dry skin.~~
8. ~~The use according to claim 5, whereby the cosmetic treatment~~
25 ~~comprises an inhibiting effect on the synthesis of melanin of a skin whitening effect.~~
9. ~~The use of an extract of a plant belonging to the genus Buchholzia for the production of a cosmetic composition, preferably for the~~
30 ~~production of a composition according to any of claims 1 to 4.~~

~~10. The use of an extract of a plant belonging to the genus Buchholzia for the manufacture of a medicament for the treatment of skin inflammation or for the treatment of Rosacea.~~

5 New Claims 11-30 (Renumbered as Claims 1-20)

1. A cosmetic or dermopharmaceutical composition, comprising:
 - (a) an extract of a plant belonging to the genus Buchholzia; and
 - (b) at least one auxiliary and/or additive.
- 10 2. The cosmetic composition according to Claim 1, wherein the plant is Buchholzia coriacea.
- 15 3. The composition according to Claim 2, wherein the extract is from the fruit of Buchholzia coriacea.
4. The composition according to Claim 2, wherein the extract is from the seeds of Buchholzia coriacea.
- 20 5. The composition according to Claim 1, wherein the auxiliary and/or additive is selected from the group consisting of oily bodies, surfactants, emulsifiers, fats, waxes, pearlescent waxes, bodying agents, thickeners, superfatting agents, stabilizers, polymers, silicone compounds, lecithins, phospholipids, biogenic active ingredients, deodorants, antimicrobial
25 agents, antiperspirants, film formers, antidandruff agents, swelling agents, insect repellents, hydrotropes, solubilizers, preservatives, perfume oils, dyes, and mixtures thereof.
- 30 6. The composition according to Claim 1, wherein the concentration of the extract in the composition is about 0.001 weight percent to about 25

weight percent.

7. The composition according to Claim 1, wherein the extract is obtainable by extracting at least a portion of the plant belonging to the
5 genus Buchholzia with a solvent selected from the group consisting of water, alcohol, and mixtures thereof to form a solution; and removing the solvent from the solution to obtain an extract.
8. The composition according to Claim 7, wherein at least a portion of
10 the plant comprises the fruit.
9. The composition according to Claim 7, wherein at least a portion of the plant comprises the seeds.
- 15 10. A method for the cosmetic treatment of the skin or scalp, comprising the step of administering to a patient in need thereof a composition comprising an effective amount of a plant extract from a plant belonging to the genus Buchholzia.
- 20 11. The method according to Claim 10, wherein the plant is Buchholzia coriacea.
12. The method according to Claim 10, wherein the extract is from the fruit of Buchholzia coriacea.
- 25 13. The method according to Claim 10, wherein the extract is from the seeds of Buchholzia coriacea.
14. The method according to Claim 10, wherein the composition is
30 administered topically or orally.

15. The method according to Claim 14, wherein the composition is in the form of a tablet, dragee, capsule, juice, solution, or granule.
- 5 16. The method according to Claim 10, wherein the cosmetic treatment comprises inhibiting the synthesis of melanin, decreasing the effects of skin pigmentation, stimulating the growth and/or metabolism of human fibroblasts, providing an anti-aging and/or anti-wrinkle effect, providing a revitalizing or rejuvenating effect on stressed or tired skin, promoting the
10 repair of aged and/or photo-aged skin, promoting hair growth or the delay of hair loss, providing an appeasing and anti-irritation effect against oxidative stress and pollutants, providing a protease inhibition effect, providing an antioxidant effect, and/or protecting against UV or IR radiation.
- 15 17. A method for the treatment of the skin inflammation, comprising the step of administering to a patient in need thereof a composition comprising an effective amount of a plant extract from a plant belonging to the genus
Buchholzia.
- 20 18. The method according to Claim 17, wherein the composition is administered topically or orally.
19. The method according to Claim 17, wherein the inflammation is
Rosacea.
- 25 20. The method according to Claim 17, wherein the composition is in the form of a tablet, dragee, capsule, juice, solution, or granule.

Claims

What is claimed is:

1. A cosmetic or dermopharmaceutical composition, comprising:
 - (a) an extract of a plant belonging to the genus *Buchholzia*; and
 - 5 (b) at least one auxiliary and/or additive.
2. The cosmetic composition according to Claim 1, wherein the plant is *Buchholzia coriacea*.
- 10 3. The composition according to Claim 2, wherein the extract is from the fruit of *Buchholzia coriacea*.
4. The composition according to Claim 2, wherein the extract is from the seeds of *Buchholzia coriacea*.
- 15 5. The composition according to Claim 1, wherein the auxiliary and/or additive is selected from the group consisting of oily bodies, surfactants, emulsifiers, fats, waxes, pearlescent waxes, bodying agents, thickeners, superfatting agents, stabilizers, polymers, silicone compounds, lecithins, phospholipids, biogenic active ingredients, deodorants, antimicrobial
- 20 agents, antiperspirants, film formers, antidandruff agents, swelling agents, insect repellents, hydrotropes, solubilizers, preservatives, perfume oils, dyes, and mixtures thereof.
- 25 6. The composition according to Claim 1, wherein the concentration of the extract in the composition is about 0.001 weight percent to about 25 weight percent.
7. The composition according to Claim 1, wherein the extract is
- 30 obtainable by extracting at least a portion of the plant belonging to the

genus *Buchholzia* with a solvent selected from the group consisting of water, alcohol, and mixtures thereof to form a solution; and removing the solvent from the solution to obtain an extract.

5 8. The composition according to Claim 7, wherein at least a portion of the plant comprises the fruit.

9. The composition according to Claim 7, wherein at least a portion of the plant comprises the seeds.

10

10. A method for the cosmetic treatment of the skin or scalp, comprising the step of administering to a patient in need thereof a composition comprising an effective amount of a plant extract from a plant belonging to the genus *Buchholzia*.

15

11. The method according to Claim 10, wherein the plant is *Buchholzia coriacea*.

12. The method according to Claim 10, wherein the extract is from the
20 fruit of *Buchholzia coriacea*.

13. The method according to Claim 10, wherein the extract is from the seeds of *Buchholzia coriacea*.

25 14. The method according to Claim 10, wherein the composition is administered topically or orally.

15. The method according to Claim 14, wherein the composition is in the form of a tablet, dragee, capsule, juice, solution, or granule.

16. The method according to Claim 10, wherein the cosmetic treatment comprises inhibiting the synthesis of melanin, decreasing the effects of skin pigmentation, stimulating the growth and/or metabolism of human fibroblasts, providing an anti-aging and/or anti-wrinkle effect, providing a
5 revitalizing or rejuvenating effect on stressed or tired skin, promoting the repair of aged and/or photo-aged skin, promoting hair growth or the delay of hair loss, providing an appeasing and anti-irritation effect against oxidative stress and pollutants, providing a protease inhibition effect, providing an antioxidant effect, and/or protecting against UV or IR radiation.

10

17. A method for the treatment of the skin inflammation, comprising the step of administering to a patient in need thereof a composition comprising an effective amount of a plant extract from a plant belonging to the genus *Buchholzia*.

15

18. The method according to Claim 17, wherein the composition is administered topically or orally.

20

19. The method according to Claim 17, wherein the inflammation is Rosacea.

20. The method according to Claim 17, wherein the composition is in the form of a tablet, dragee, capsule, juice, solution, or granule.



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Deposit Account Statement

Requested Statement Month:

April 2007

Deposit Account Number:

501177

Name:

COGNIS CORPORATION

Attention:

JOHN F. DANIELS

Address:

300 BROOKSIDE AVENUE

City:

AMBLER

State:

PA

Zip:

19002

Country:

UNITED STATES

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|------|--------------------|---------------------------|-------------|--------------|-------------|
| 04/02 | 15 | 10595656 | C 2903 PCT/US | 1617 | \$130.00 | \$48,876.00 |
| 04/02 | 31 | 10480558 | C 2497 PCT/US | 1252 | \$450.00 | \$48,426.00 |
| 04/02 | 6455 | 10656341 | M 6636A CC/CSAP | 1252 | \$450.00 | \$47,976.00 |
| 04/02 | 6456 | 10656341 | M 6636A CC/CSAP | 1801 | \$790.00 | \$47,186.00 |
| 04/03 | 57 | 10444308 | U 0143 F01F | 1801 | \$790.00 | \$46,396.00 |
| 04/03 | 58 | 10444308 | U 0143 F01F | 1252 | \$450.00 | \$45,946.00 |
| 04/03 | 661 | 11708923 | U 0315 F04C | 8021 | \$40.00 | \$45,906.00 |
| 04/03 | 4692 | 11708923 | U 0315 F04C | 1051 | \$130.00 | \$45,776.00 |
| 04/04 | 722 | 11650056 | C 3088 COGG | 8021 | \$40.00 | \$45,736.00 |
| 04/04 | 68 | PAYMENT | | 9203 | -\$1,110.00 | \$46,846.00 |
| 04/04 | 73 | PAYMENT | | 9203 | -\$23,340.00 | \$70,186.00 |
| 04/10 | 576 | 10593850 | C 2939 PCT/US | 1616 | \$360.00 | \$69,826.00 |
| 04/11 | 49 | 11650056 | C 3088 COGG | 1051 | \$130.00 | \$69,696.00 |
| 04/11 | 572 | 10484591 | C 2850 PCT/US | 8021 | \$40.00 | \$69,656.00 |
| 04/12 | 392 | 11733981 | C 3102 US | 1011 | \$300.00 | \$69,356.00 |
| 04/12 | 393 | 11733981 | C 3102 US | 1111 | \$500.00 | \$68,856.00 |
| 04/12 | 394 | 11733981 | C 3102 US | 1311 | \$200.00 | \$68,656.00 |
| 04/12 | 152 | 10393149 | M 6487 CC/SPAP | 1501 | \$1,400.00 | \$67,256.00 |
| 04/12 | 153 | 10393149 | M 6487 CC/SPAP | 1504 | \$300.00 | \$66,956.00 |
| 04/12 | 154 | 10393149 | M 6487 CC/SPAP | 8001 | \$6.00 | \$66,950.00 |
| 04/12 | 157 | 10686478 | M 6487A CC/SPAP | 1501 | \$1,400.00 | \$65,550.00 |
| 04/12 | 158 | 10686478 | M 6487A CC/SPAP | 1504 | \$300.00 | \$65,250.00 |
| 04/12 | 159 | 10686478 | M 6487A CC/SPAP | 8001 | \$6.00 | \$65,244.00 |
| 04/13 | 1 | 11530240 | C 3052 US | 1051 | \$130.00 | \$65,114.00 |
| 04/16 | 58 | 10595101 | C2816 PCT/US | 8021 | \$40.00 | \$65,074.00 |
| 04/16 | 4181 | 10595101 | C 2816 PCT/US | 1051 | \$130.00 | \$64,944.00 |
| 04/17 | 64 | 10756240 | U 0062 F01E | 1251 | \$120.00 | \$64,824.00 |
| 04/18 | 90 | 10332177 | C 2259 PCT/US | 1251 | \$120.00 | \$64,704.00 |
| 04/18 | 3811 | 60912467 | C 3237P US | 1005 | \$200.00 | \$64,504.00 |
| 04/20 | 6 | 10565135 | C 2864 PCT/US | 1051 | -\$130.00 | \$64,634.00 |
| 04/20 | 7 | 10565135 | C 2864 PCT/US | 1617 | \$130.00 | \$64,504.00 |
| 04/20 | 1 | PCT/US07/02030 | U 0318WO | 1601 | \$300.00 | \$64,204.00 |
| 04/20 | 2 | PCT/US07/02030 | U 0318WO | 1603 | \$300.00 | \$63,904.00 |
| 04/20 | 3 | PCT/US07/02030 | U 0318WO | 1702 | \$1,086.00 | \$62,818.00 |
| 04/20 | 4 | PCT/US07/02030 | U 0318WO | 8007 | \$40.00 | \$62,778.00 |
| 04/20 | 4744 | 10203228 | C 2190 PCT/US | 1252 | \$450.00 | \$62,328.00 |
| 04/23 | 175 | 11064872 | C 2920 COGG | 1501 | \$1,400.00 | \$60,928.00 |
| 04/23 | 176 | 11064872 | C 2920 COGG | 1504 | \$300.00 | \$60,628.00 |
| 04/23 | 177 | 11064872 | C 2920 COGG | 8001 | \$6.00 | \$60,622.00 |
| 04/24 | 2659 | 10240973 | C2249 PCT/US | 1402 | \$500.00 | \$60,122.00 |
| 04/24 | 3867 | 11739129 | C 3114 US | 1011 | \$300.00 | \$59,822.00 |

| | | | | | | |
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| 04/24 | 3868 | 11739129 | C 3114 US | 1111 | \$500.00 | \$59,322.00 |
| 04/24 | 3869 | 11739129 | C 3114 US | 1311 | \$200.00 | \$59,122.00 |
| 04/25 | 3 | 10874427 | M 5571C F01D | 1202 | \$50.00 | \$59,072.00 |
| 04/25 | 3481 | 11577888 | C 3010 PCT/US | 1631 | \$300.00 | \$58,772.00 |
| 04/25 | 3482 | 11577888 | C 3010 PCT/US | 1642 | \$400.00 | \$58,372.00 |
| 04/25 | 3483 | 11577888 | C 3010 PCT/US | 1633 | \$200.00 | \$58,172.00 |
| 04/27 | 945 | 11650264 | C 3064 US | 1051 | \$130.00 | \$58,042.00 |
| 04/27 | 26 | 10512742 | C 2634 PCT/US | 1202 | \$100.00 | \$57,942.00 |
| 04/27 | 601 | 11703859 | C 3111 COGG | 8021 | \$40.00 | \$57,902.00 |

| | | | |
|-------------|-------------|-------------|-------------|
| START | SUM OF | SUM OF | END |
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| \$49,006.00 | \$15,684.00 | \$24,580.00 | \$57,902.00 |

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